

BENJAMIN H. SETTLE

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

CONFEDERATED TRIBES OF THE CHEHALIS )  
RESERVATION, a federally recognized Indian tribe) )  
on its own behalf and as *parens patriae* for its )  
members, and CTGW, LLC, a limited liability )  
company organized under Delaware law, )

Plaintiffs,

v.

THURSTON COUNTY BOARD OF )  
EQUALIZATION, a political subdivision of the )  
State of Washington; Thurston County Board of )  
Equalization members JOHN MORRISON, BRUCE )  
REEVES and JOE SIMMONDS, in their official )  
capacities; THURSTON COUNTY ASSESSOR )  
PATRICIA COSTELLO, in her official capacity; )  
THURSTON COUNTY, a political subdivision of )  
the State of Washington; and THURSTON )  
COUNTY TREASURER ROBIN HUNT, in her )  
official capacity, )

Defendants.

No. C08 5562 BHS

ORDER GRANTING DEFENDANTS'  
AND DENYING PLAINTIFFS' MOTIONS  
FOR SUMMARY JUDGMENT

[PROPOSED]

NOTE ON MOTION DOCKET: JANUARY 22, 2010

This matter comes before the Court on the party's cross-Motions for Summary Judgment. The Court has considered the pleadings filed in support of and in opposition to these motions, and the remainder of the file. The Court hereby denies Plaintiffs' Motion for Summary Judgment and Grants Defendants' Motion for Summary Judgment for the reasons stated herein.

Based upon the argument of the parties, the evidence presented, and the pleadings herein, the Court finds that there is no genuine issue as to any material fact and Defendants are entitled to judgment as a matter of law.

ORDER GRANTING DEFENDANTS' AND DENYING PLAINTIFFS'  
MOTIONS FOR SUMMARY JUDGMENT - 1  
Cause No: C08-5562 BHS

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Therefore, it is hereby

**ORDERED** that Plaintiffs' Motion for Summary Judgment is **DENIED**.

It is **FURTHER ORDERED** Defendants' Motion for Summary Judgment is granted and all Plaintiffs' claims against all Defendants are hereby dismissed.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
BENJAMIN H. SETTLE  
United States District Judge

I hereby certify that on the 30<sup>th</sup> day of December, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorneys for plaintiffs:

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Linda Olsen, Paralegal  
to Attorneys for T.C./T.C. Assessor/T.C. Treasurer